

## **STATE BOARD OF EDUCATION**

**Columbia, South Carolina**

**September 8, 2004**

The State Board of Education held its September meeting at nine o'clock, Wednesday morning, September 8, 2004, in the Basement Conference Room of the Rutledge State Office Building. The following State Board members were in attendance: Dr. Mary E. Jones, Chair; Mr. Paul M. (Mike) Forrester, Chair-Elect; Ms. Victoria Belin; Ms. Rebecca Burch; Dr. Anne S. Crook; Mr. Jessie Curtis; Mrs. Brenda S. Fort; Mr. John H. Hostetler; Mr. Joe Isaac; Mr. Marion B. Lee, Jr.; Mrs. Kristin Maguire; Dr. Dennis Nielsen; Dr. Harriett L. Rucker; Mrs. Terrye C. Seckinger; Mr. Phillip Shoopman; and Mrs. Kristi Woodall. Also present was staff of the State Department of Education. *(Board member unable to attend was Ms. Virginia Wilson who was excused for their absence.)*

### **OPENING**

The meeting was brought to order by Chair Jones. Ms. Belin led the Pledge of Allegiance. A moment of silence was held for the children in Russia killed recently by terrorists.

### **APPROVAL OF MINUTES OF AUGUST 11, 2004**

Dr. Rucker moved for the approval of the minutes of the August 11, 2004, meeting. The motion was seconded by Mrs. Maguire and then approved by the Board.

### **APPROVAL OF STATE BOARD OF EDUCATION AGENDA**

Mrs. Maguire moved for the approval of the agenda. The motion was seconded by Mrs. Fort and approved by the Board.

### **RECOGNITION OF VISITORS, INCLUDING NEWS MEDIA**

Chair Jones welcomed the visitors present. Mrs. Paula Gray introduced Martha Rose Brown with the *Eagle Record* in St. George and Mr. Bill Robinson with *The State* in Columbia.

### **STATE SUPERINTENDENT OF EDUCATION REPORT**

Superintendent Tenenbaum announced the posthumous honoring of Mrs. Eliza Briggs, Mr. Harry Briggs, Reverend Joseph DeLaine, and Mr. Levi Pearson

for the character, conviction, and fortitude of these individuals and their impact on ensuring a quality education for all children.

**RECOGNITION OF THE 2004 SUPERINTENDENT OF EDUCATION SERVICE-LEARNING AWARDS**

Superintendent Tenenbaum announced the recipients of the 2004 Superintendent of Education Service-Learning Awards as follows: Justin Campbell, Lakeside Middle School, Anderson County School District Five; Titorya Stover, Lancaster High School, Lancaster County School District; Black Street Elementary School in Colleton County School District; Pelion Elementary School in Lexington County School District One; Honea Path Middle School's Cubs Care Members in Anderson County School District Two; and Cherokee Technology Center Building Construction Trades Students in Cherokee County School District. Each recipient was presented an engraved trophy by Superintendent Tenenbaum and their respective Board members.

**RECOGNITION OF THE NATIONAL COUNCIL FOR THE SOCIAL STUDIES (NCSS) 2003 OUTSTANDING SECONDARY SOCIAL STUDIES TEACHER OF THE YEAR**

Superintendent Tenenbaum introduced Leslie Wallace Skinner. Leslie was named the 2003 Outstanding Secondary Social Studies Teacher of the Year by the National Council of Social Studies. She was among four exemplary social studies teachers presented with \$2,500 awards during the organization's conference held in Chicago.

Superintendent Tenenbaum and Board member Mary Jones presented Leslie with an engraved trophy for this accomplishment.

**RECOGNITION OF THE 2005 HONOR ROLL TEACHERS AND THE SOUTH CAROLINA TEACHER OF THE YEAR**

Superintendent Tenenbaum introduced the four Honor Roll teachers: Malia Dunn, Long Middle School, Chesterfield County School District; Ruth Taylor, Mayo High School for Math, Science and Technology, Darlington County School District; Angela Cooper, Burton-Pack Elementary School, Richland County School District One; and Amelia Kinard, Wellford Elementary School, Spartanburg County School District Five.

Linda "Cookie" Winburn, Summit Parkway Middle School, Richland County School District Two, was introduced by Superintendent Tenenbaum as the 2005 South Carolina Teacher of the Year.

Superintendent Tenenbaum and the respective Board members presented each with an engraved trophy for their accomplishments.

### **REPORT ON 2004 PACT SCORES**

Superintendent Tenenbaum announced that this past spring, more than 300,000 students in grades three through eight took PACT—the Palmetto Achievement Challenge Tests—which measure student progress on the state's rigorous curriculum standards in English Language Arts, mathematics, science, and social studies. Superintendent Tenenbaum was pleased to report that South Carolina's students made significant progress across the four subjects at every grade level.

### **PUBLIC COMMENT PERIOD**

There were no public speakers for this meeting.

### **STATE BOARD OF EDUCATION STANDING COMMITTEE REPORTS**

**Mrs. Brenda Fort, Chair**  
**Teacher Recruitment, Training, and Certification Committee**

**Dr. Harriett Rucker, Chair**  
**Curriculum and Instructional Materials Committee**

**Mrs. Kristin Maguire, Chair**  
**Finance and Legislative Committee**

**Dr. Mary Jones, Chair**  
**Educational Policy Committee**

**56. Teacher Recruitment, Training, and Certification Committee**—Mrs. Fort reported that the Teacher Recruitment, Training, and Certification Committee (TRTC) met on Tuesday, September 7, 2004.

**01. Approval of Agenda for September 7, 2004**—Mrs. Fort reported that the agenda for the September 7, 2004, meeting was approved.

**02. Approval of Minutes of August 11, 2004**—Mrs. Fort reported that the minutes from the August 11, 2004, Teacher Recruitment, Training, and Certification Committee meeting were approved.

**03. TRTC Committee Meeting Overview**—Mrs. Fort reported that Dr. Janice Poda, Senior Director, Division of Teacher Quality, gave a brief overview of the items that were presented to the TRTC Committee.

State Board of Education Minutes

September 8, 2004

4

**06. Consent Agenda**—Mrs. Fort reported that Items 56-04 and 56-05 were placed on the consent agenda.

Mrs. Fort reported that the following item was presented for information:

- **Meeting the Performance Standards for Teaching: 2004 ADEPT Report**

**55. Curriculum and Instructional Materials Committee**—Dr. Harriett Rucker reported that the Curriculum and Instructional Materials Committee met on Tuesday, September 7, 2004.

**01. Approval of Agenda for September 7, 2004**—Dr. Rucker reported that the agenda for September 7, 2004, was approved.

**02. Approval of Minutes of August 11, 2004**—Dr. Rucker reported that the minutes of the August 11, 2004, Curriculum and Instructional Materials Committee meeting were approved.

Dr. Rucker reported that the following item was submitted for information:

- **The Complete Curriculum**

**54. Finance and Legislative Committee**—Mrs. Kristin Maguire reported that the Finance and Legislative Committee met on Tuesday, September 7, 2004.

**01. Approval of Agenda for September 7, 2004**—Mrs. Maguire reported that the agenda for the September 7, 2004, meeting was approved.

**02. Approval of Minutes of August 11, 2004**—Mrs. Maguire reported that the minutes of the August 11, 2004, Finance and Legislative Committee meeting were approved.

Mrs. Maguire reported that the following item was submitted for information:

- **State Board of Education Financial Statements and Projected Budget Expenditures**

**52. Educational Policy Committee**—Dr. Jones reported that the Educational Policy Committee met on Tuesday, September 7, 2004.

State Board of Education Minutes

September 8, 2004

5

**01. Approval of Agenda for September 7, 2004**—Dr. Jones reported that the agenda for the September 7, 2004, meeting was approved.

**02. Approval of Minutes of August 11, 2004**—Dr. Jones reported that the minutes for the August 11, 2004, Educational Policy Committee meeting were approved.

Chair Jones reported that the following items were submitted for information:

- **Revisions to the NCLB Accountability Plan**
- **SAT Report**

Mr. Forrester moved to suspend the Rules of Governance for the purpose of discussing a resolution. Mrs. Maguire seconded the motion that was approved by the Board.

Mr. Isaac moved that the State Board of Education approve a resolution to commemorate the Congressional Gold Medal Awards Ceremony posthumously honoring Mrs. Eliza Briggs, Mr. Harry Briggs, Reverend Joseph DeLaine, and Mr. Levi Pearson. The motion was seconded by Mrs. Maguire and approved by the Board.

**CONSENT AGENDA**

The following items were approved by the Board without further debate upon motion by Mr. Forrester seconded by Mrs. Maguire:

**56-04. The Professional Review Committee's (PRC) recommendation for the approval of a teacher education program at Winthrop University**

The TRTC Committee approved this item as presented.

**56-05. District ADEPT Plans (continuation)**

The TRTC Committee approved this item as presented.

**REPORT OF STATE BOARD OF EDUCATION EDUCATOR LICENSURE  
ISSUES OF SEPTEMBER 7, 2004**

Chair-Elect Forrester gave a report of the actions taken by the State Board of Education concerning educator licensure issues in the State of South Carolina on Tuesday, September 7, 2004.

State Board of Education Minutes

September 8, 2004

6

**APPROVAL OF MINUTES OF SEPTEMBER 7, 2004**

Mrs. Maguire moved for the approval of the minutes of the September 7, 2004, meeting. The motion was seconded by Mrs. Fort and approved by the Board.

**PUBLIC HEARING—CHARTER SCHOOL APPEAL**

The State Board of Education held a public hearing. for the purpose of an appeal concerning the Trident Youth Development and Progressive Academy Charter School application.

Bruce Davis, Esquire, was given twenty (20) minutes to present information in opposition of the Dorchester County School District Four Board's denial of a charter.

Charles Boykin, Esquire, was then given twenty (20) minutes to speak on behalf of the Dorchester County School District Four Board's decision to deny the charter.

Mr. Atlee Prince, Trident Youth Development and Progressive Academy, spoke in rebuttal.

**EXECUTIVE SESSION REGARDING THE CHARTER SCHOOL APPEAL**

The Board went in to Executive Session at 11:19 a.m. on motion by Mrs. Fort, seconded by Ms. Belin.

**RETURN TO OPEN SESSION**

The State Board of Education returned to open session at 1:10 p.m.

Mrs. Maguire moved that the advisory board's conclusions are subject to being reviewed by the local board and subsequently rejected or accepted. The motion was seconded by Dr. Rucker and approved by the Board.

Mrs. Maguire moved that the State Board of Education overrule the local board's ruling that the application was not submitted in a timely manner and that the advisory board did not have the authority to accept clarifying and/or additional information. The motion was seconded by Mr. Forrester and approved by the Board.

Mrs. Maguire moved that the State Board of Education overrule the local board's ruling that an adverse impact on the students was established to the

State Board of Education Minutes

September 8, 2004

7

extent required by law and regulation. The motion was seconded by Mrs. Seckinger and approved by the Board with one opposing vote by Mrs. Fort.

Mrs. Maguire moved that the State Board of Education overrule the local board's ruling that the application fails to provide clearly stated goals and objectives as required by S.C. Code Ann. § 59-40-60(F)(2) (2004). The motion was seconded by Mrs. Seckinger and approved by the Board.

Mrs. Maguire moved that the State Board of Education overrule the local board's ruling that the application fails to include an education program which meets or exceeds the local district's education program as required by S.C. Code Ann. § 59-40-60(F)(4) (2004). The motion was seconded by Mrs. Seckinger and approved by the Board with opposing votes by Mr. Isaac, Mrs. Fort, Mr. Hostetler, and Dr. Woodall.

Mrs. Maguire moved that the State Board of Education affirm the local board's ruling that the application fails to show how student achievement will be evaluated and determined as required by S.C. Code Ann. § 59-40-60(F)(5) (2004). The motion was seconded by Ms. Belin and approved by the Board.

Mrs. Maguire moved that the State Board of Education affirm the local board's ruling that the application fails to describe how the charter school will comply with the District's desegregation order as required by S.C. Code Ann. § 59-40-60(F)(8) (2004). The motion was seconded by Mr. Forrester and approved by the Board.

Mrs. Maguire moved that the State Board of Education affirm the local board's ruling that the application fails to include a transportation plan, which complies with State requirements as required by S.C. Code Ann. § 59-40-60(F)(9) (2004). The motion was seconded by Mr. Lee and approved by the Board.

Mrs. Maguire moved that the State Board of Education overrule the local board's ruling that the application fails to provide an adequate description of the school building as required by S.C. Code Ann. § 59-40-60(F)(10) (2004). The motion was seconded by Mrs. Seckinger and approved by the Board.

Mrs. Maguire moved that the State Board of Education overrule the local board's ruling that the application fails to provide a complete description of the proposed charter school's administrative structure as required by S.C. Code Ann. § 59-40-60(F)(7) (2004). The motion was seconded by Mrs. Seckinger and approved by the Board.

Mrs. Maguire moved that the State Board of Education overrule the local board's ruling that the application fails to adequately describe its relationship with

State Board of Education Minutes

September 8, 2004

8

its employees, including a selection and hiring process, an evaluation procedure, and grievance procedure as required by S.C. Code Ann. § 59-40-60(F)(11-12) (2004). The motion was seconded by Mrs. Seckinger and approved by the Board.

Mrs. Maguire moved that the State Board of Education overrule the local board's ruling that the application fails to comply with the insurance requirements of S.C. Code Ann. § 59-40-60 (F)(15) (2004). The motion was seconded by Mrs. Seckinger and approved by the Board.

Mrs. Maguire moved that the State Board of Education affirm the local board's ruling that the charter school did not demonstrate economic viability in its application. The motion was seconded by Ms. Belin and approved by the Board.

Mrs. Maguire moved that the State Board of Education uphold the local board's decision to deny the application of the Trident Youth Development and Progressive Academy. The motion was seconded by Mr. Lee and approved by the Board.

Dr. Crook stated that it is a requirement that districts work in cooperation with charter schools and if they work together the problems could be eliminated without the need for appeals.

Chair Jones stated that Mr. Lee, Mrs. Seckinger, and Mr. Isaac will work with the Office of General Counsel on the final order of the Board and that the final order will be issued within twenty days. The order will be published on the State Department of Education website.

**ADJOURNMENT**

There being no further business the Board adjourned at 1:19 p.m.

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Chair

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Secretary